

BILL NO. Z-85- 11-66

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. L-18.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a B-3-B (General Business) District under
the terms of Chapter 33 of the Code of the City of Fort
Wayne, Indiana of 1974:

Lot #1 Bittler's Subdivision as recorded in the
plat thereof in the Office of the Recorder of
Allen County, Indiana,

and the symbols of the City of Fort Wayne Zoning Map No.
L-18, as established by Section 11, of Chapter 33 of the
Code of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full
force and effect from and after its passage and approval by
the Mayor.

Charles E. Reed
Councilmember

APPROVED AS TO FORM AND LEGALITY:

Bruce O. Boxberger
BRUCE O. BOXBERGER, CITY ATTORNEY

DATE:

DATE :

WIN MOSES, JR., MAYOR

RECEIPT

ck^d
2481

No 486

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., October 11 1985

RECEIVED FROM Knudsen's U.S. Service Inc. \$ 50⁰⁰

THE SUM OF Fifty Dollars 100 DOLLARS

ON ACCOUNT OF Reynolds Tiling Inc.

Garth - Brothers Inc.

Wayne R. [Signature]
AUTHORIZED SIGNATURE

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Michael J. Hively and JoAnn E. Hively
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B 1 B District to a/an B 3 B District the property described as follows:

Lot Number 1 Bittler's Subdivision of Lots 1, 2 and 3, Jacob-Bittler's
Subdivision of the South 156 feet of Lot 1 in Pfeiffer's Addition to
the City of Fort Wayne.

See Attached

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED: 638 West State Street

Fort Wayne, Indiana

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Michael J. Hively

6719 Shadowbrook Cove

x *Michael J. Hively*

JoAnn E. Hively

Fort Wayne, Indiana 46815

x *JoAnn E. Hively*

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Thomas P. Boyer

918 South Calhoun St.

219/423-2581

(Name)

Fort Wayne, IN 46802

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

CERTIFICATE OF SURVEY

OFFICE OF:

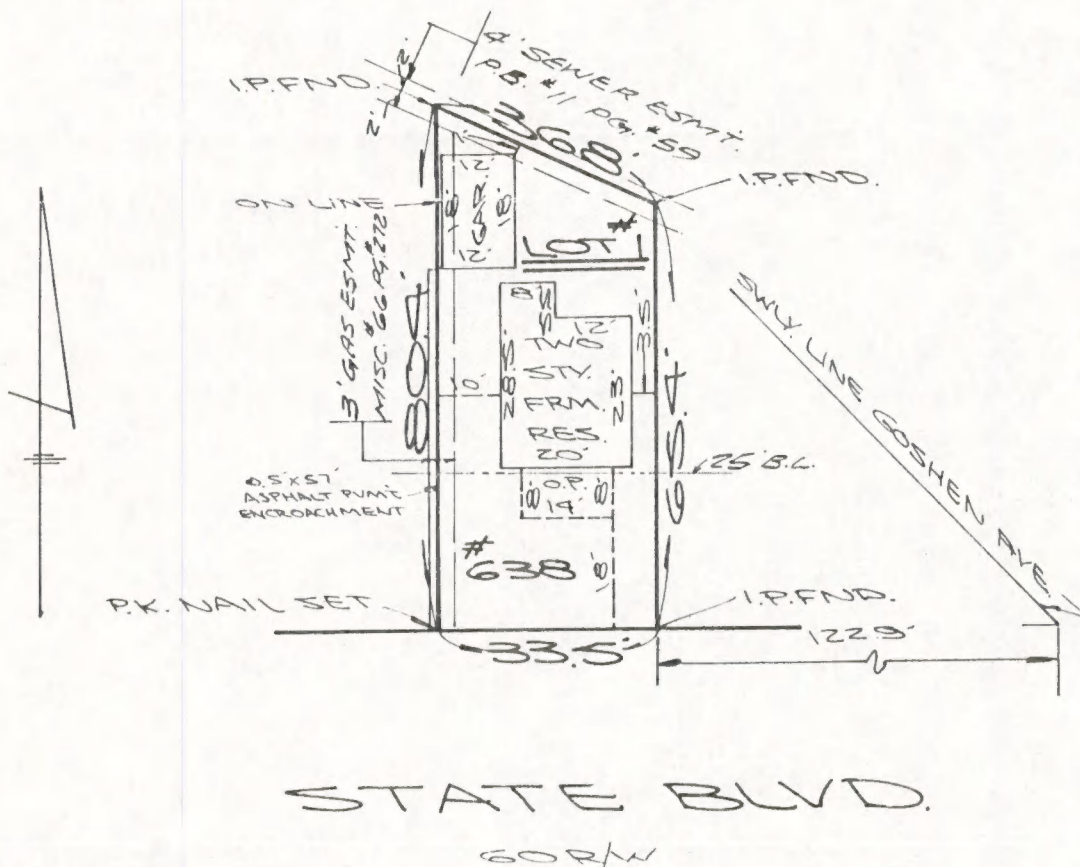
JOHN R. DONOVAN
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Lot #1 in Bittler's Subdivision as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.

NOTE: According to the Flood Insurance Rate Map (FIRM), number 180003 0015B, dated April 3, 1985, the herein described real estate is not located in a flood hazard area (Zone C).

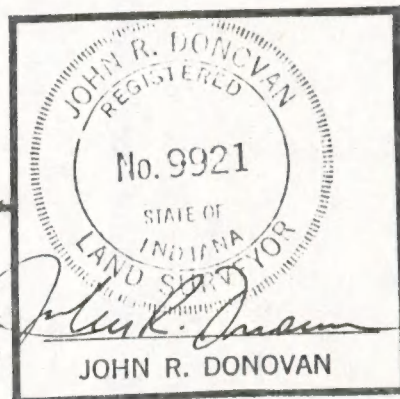


NOTE: According to the FIA Flood Hazard Boundary Maps, the above described real estate is not located in a flood hazard area.

RE-CERTIFIED 8-21-85
RE-CERTIFIED 3-8-78

JOB FOR: PARKER-GALLANT-HIVELY

REV. 3-8-78
REV. 8-21-85
REV. 9-6-85



Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Zoning Ordinance Amendment

DETAILS

Specific Location and/or Address

638 W. State Street

Reason for Project

WITHDRAWN AT PETITIONER'S REQUEST

Discussion (Including relationship to other Council actions)

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

Michael & Joann Hively
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation☐ For ☐ Against

Reason Against

Board or
Commission
Recommendation

By

☐ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)CITY COUNCIL
ACTIONS
(For Council
use only)☐ Pass ☐ Other☐ Pass (as
amended) ☐ Hold☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date October 11, 1985

Projected Completion or Occupancy

Date March 5, 1986

Fact Sheet Prepared by

Date March 5, 1986

Patirica Biancaniello
Reviewed by

Date
3/5/86

Patirica Biancaniello
Reference or Case Number

LEBAMOFF LAW OFFICES

918 SOUTH CALHOUN STREET

FORT WAYNE, INDIANA 46802

IVAN A. LEBAMOFF
KENNETH R. SCHEIBENBERGER
DAVID J. AVERY
THOMAS P. BOYER
JAMIE L. THOMPSON

TELEPHONE

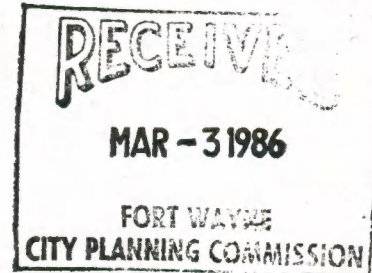
219-423-2581

CABLE ADDRESS:

LEBAMOFF, FORT WAYNE

March 3, 1986

City Plan Commission
Eighth Floor
City-County Building
One Main Street
Fort Wayne, IN 46802



Dear Commission Members:

Re: Michael J. and JoAnn E. Hively
Zoning Amendment No 165 from B-1-B to B-3-B
638 West State Street
Our File No. 6151

On behalf of Michael J. Hively and JoAnn E. Hively, I am notifying the Commission that my clients would like to withdraw their petition to amend the zoning for the property at 638 West State Street from B-1-B to B-3-B. We would respectfully request that the Commission take no further action in regards to this Petition.

If you have any problems or questions regarding the request, please feel free to call my office. Thank you for your consideration in this matter.

Very truly yours,

Thomas P. Boyer
Thomas P. Boyer

TPB:plp

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 26, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-11-66; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as require by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 18, 1985; and,

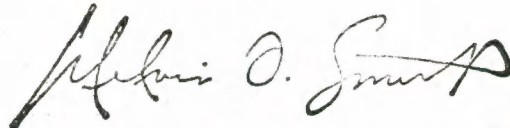
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

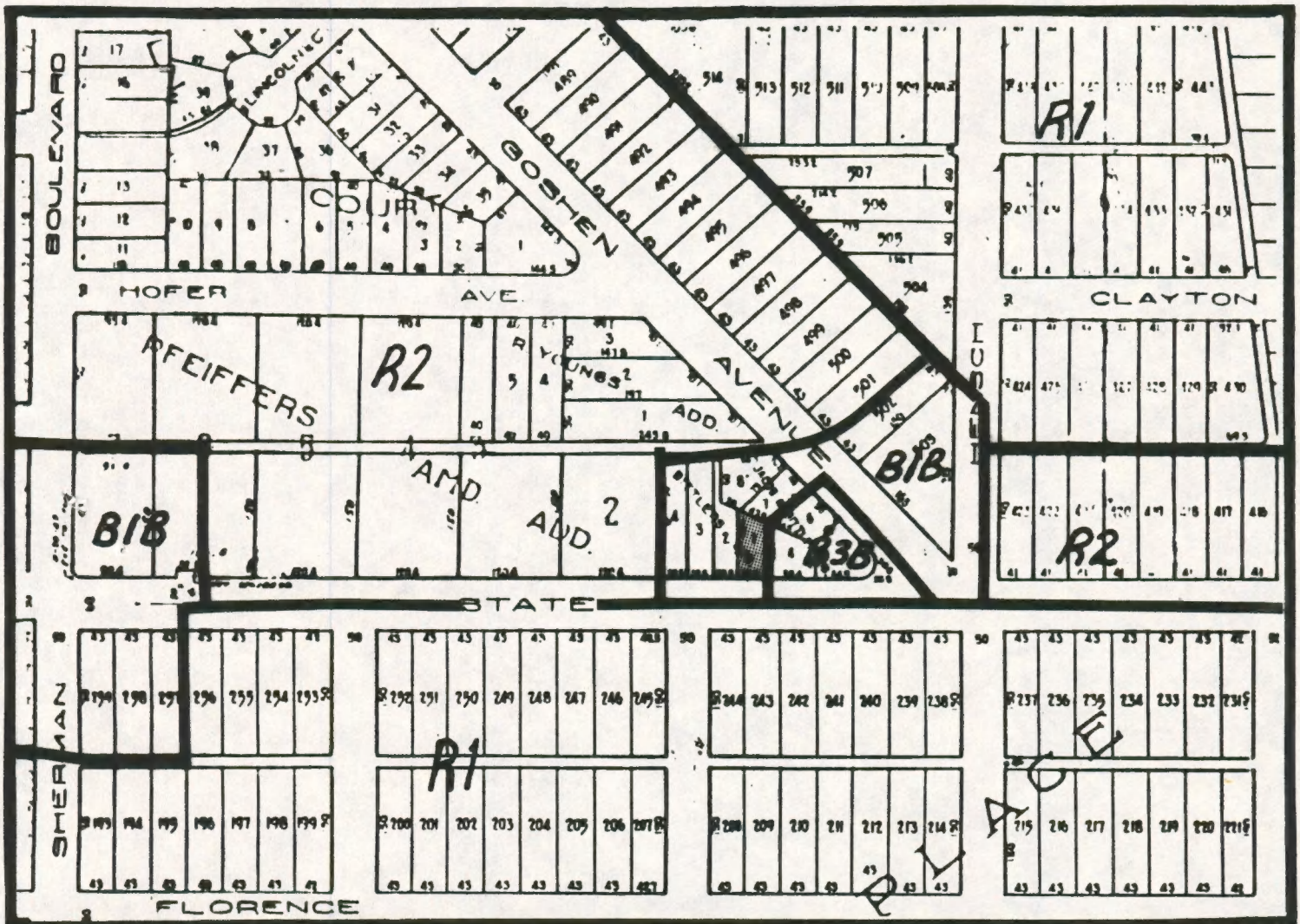
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 3, 1986.

Certified and signed this
5th day of March 1986.



Melvin O. Smith
Secretary

GENERAL LOCATION MAP FOR 638 STATE BLVD.

Zoning:Land Use:

B1B LIMITED BUSINESS 'B'

B3B GENERAL BUSINESS 'B'

R1 RESIDENTIAL DISTRICT

R2 RESIDENTIAL DISTRICT

Z-85-11-66

NORTH



Scale: 1"=200'

Date: 10-29-85

COUNCILMAN DISTRICT No. 3

DIGEST SHEET

ORIGINAL

3-85-11-66

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 638 W. State Street

EFFECT OF PASSAGE Property is now zoned B-1-B - Limited Business.
Property will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain B-1-B - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. Z-85-11-66

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort
Wayne Zoning Map No. L-18

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

WITHDRAWN

[Signature]

BEN A. EISBART
CHAIRMAN

[Signature]

JANET G. BRADBURY
VICE CHAIRWOMAN

[Signature]

DONALD J. SCHMIDT

THOMAS C. HENRY

[Signature]

CHARLES B. REDD

CONCURRED IN 3-25-86

SANDRA E. KENNEDY
CITY CLERK